

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-80063-CR MIDDLEBROOKS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL DOLCE,

Defendant(s)

\_\_\_\_\_ /

**ORDER CONTINUING TRIAL**

**THIS CAUSE** comes before the Court pursuant to Defendant's Second Joint Motion to Continue Trial (DE 15). Due to the representation of counsel, the need for more time to review discovery, the motion is **GRANTED**.

**The parties are being put on notice that Qualification for Acceptance of Responsibility is extended and will be jeopardized if an intention to enter a plea of guilty is not announced of record on or before AUGUST 21, 2023.** *See United States Sentencing Commission Guidelines Manual, §3E1.1 application notes 1(h) and 6 ("[to] qualify under subsection (b)(2) the defendant must have notified authorities of his intention to enter a plea of guilty at a sufficiently early point in the process so that the government may avoid preparing for trial and the court may schedule its calendar efficiently."); United States v. Estrada, 648 F. Appx. 797, 802 (11<sup>th</sup> Cir. 2016) (unpublished); United States v. Smith, 422 F.3d 715, 724-27 (8<sup>th</sup> Cir. 2005).* Counsel shall notify Chambers and the Government by 2:00 pm on August 21, 2023 if Defendant will be changing his plea. By proceeding in this manner, the Court will know more definitively which cases will require a trial.

**The Trial is rescheduled to begin on Monday, November 6, 2023 at 9:00 am before**

**the undersigned in West Palm Beach.** For the reasons stated, the Court finds that the interests of justice outweigh the demands of the Speedy Trial Act. Therefore, it is

**ORDERED AND ADJUDGED** that the time between August 4, 2023 and November 6, 2023 is hereby excluded from Speedy Trial Act calculations.

**DONE AND ORDERED** at West Palm Beach, Florida, this 7<sup>th</sup> day of August, 2023.

A handwritten signature in black ink, appearing to read 'Donald M. Middlebrooks', is written over a horizontal line.

Donald M. Middlebrooks  
United States District Judge

cc: Counsel of Record